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September 13, 2010

**VIA ELECTRONIC FILING AND FAX (1-973-297-4906)**

Honorable Madeline Cox Arleo, United States Magistrate Judge  
United States District Court  
MARTIN LUTHER KING COURTHOUSE  
50 Walnut Street – Room 2060  
Newark, New Jersey 07101

Re: **Russell-Brown v. The University of Florida Board of Trustees et al., No. 10-cv-04017-SDW-MCA**

Dear Judge Arleo:

I represent Plaintiff Sherrie Russell-Brown in the above-referenced matter. Respectfully, I write in reference to the September 13, 2010 letter faxed to Your Honor by counsel, Mr. Ian Marx of GREEBERG TRAURIG, on behalf of his clients, the Defendants the University of Florida, Board of Trustees, the University of Florida, Levin College of Law and Robert H. Jerry, II (collectively, the "Gainesville Defendants").

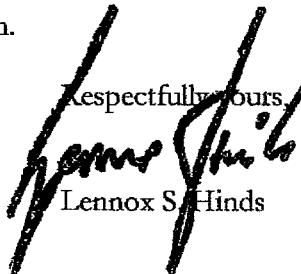
Upon information and belief, Mr. Marx and the Gainesville Defendants are concerned about the race and gender of Judge Wigenton, in terms of her ability to fairly adjudicate this matter involving Ms. Russell-Brown, an African-American female plaintiff. Mr. Marx has stated that the above-referenced matter is "for now" assigned to Judge Wigenton, but that he would take "all appropriate action," to have the matter transferred to Judge Chesler. Notwithstanding Mr. Marx's agenda, the Gainesville Defendants have not been served in the above-referenced matter. Consequently, Mr. Marx has no authority to appear in this action, to make any arguments to this Court in this action, on behalf of the Gainesville Defendants, who have not yet been joined in this action.

Respectfully, if at all, it is the Defendants the University of Oxford and Oxford University Development (North America), Inc. (collectively, the "Oxford Defendants"), through their counsel SATTERLEE STEPHENS BURKE & BURKE LLP, who should be responding to my September 9, 2010 letter to Your Honor (Doc. 13). Only the Oxford Defendants have been served with the Summons, August 5, 2010 Complaint (Doc. 1) and August 31, 2010 Amended Complaint (Doc. 7), in the above-referenced matter (Doc. 8). As instructed, in my September 1, 2010 letter, I advised Your Honor that SATTERLEE STEPHENS, c/o Zoe Eva Jasper, Esq. (zjasper@ssbb.com), 33 Wood Avenue South, Iselin, New Jersey, 08830, 212-818-9200, represent the Oxford Defendants.

The question of personal jurisdiction is personal to each Defendant. See, e.g. In re Bulk (Extruded) Graphite Products Antitrust Litigation, No. 02-6030 (WHW), 2006 WL 1084093, at \* 9 (D.N.J. April 24, 2006). My September 9, 2010 letter to Your Honor (Doc. 13), does not concern the Gainesville Defendants. I respectfully requested permission to file a motion addressing the issue of limited "jurisdictional discovery," only as to the Oxford Defendants, in response to a June 24, 2010 letter from SATTERLEE STEPHENS, expressing doubt that there is a basis for personal jurisdiction over the Oxford Defendants. The responses to Ms. Russell-Brown's Amended Complaint (Doc. 7) by the Oxford Defendants are due October 1 and October 8, 2010 (Docs. 11, 12). Consequently, in anticipation of a Rule 12(b)(2) motion to dismiss for lack of personal jurisdiction, it is SATTERLEE STEPHENS who I contacted to request that the parties meet and confer regarding the issue of limited "jurisdictional discovery," before submitting a letter to Your Honor, addressing the "jurisdictional discovery" needed. And, to-date, SATTERLEE STEPHENS still have not responded to my September 1, 2010 request.

Finally, as to the basis for personal jurisdiction over the Oxford Defendants, Ms. Russell-Brown's claims are not "clearly frivolous." To this letter, I attach a copy of a February 9, 2009 e-mail from one of Ms. Russell-Brown's former colleagues, Professor Steven Willis, in which he states that he has read Ms. Russell-Brown's complaint against the Gainesville Defendants and he finds that "it has merit." Professor Willis goes on to state that Ms. Russell-Brown was a "fine colleague and a good, hard-working academic." Ms. Russell-Brown's Amended Complaint (Doc. 7), includes allegations that the Oxford Defendants conspired with the Gainesville Defendants to deprive Ms. Russell-Brown of her civil rights, in retaliation for her engaging in protected activity. I attach a letter dated November 27, 2008 from the Oxford Defendants to Ms. Russell-Brown, informing her that Dapo Akande and Guy Goodwin-Gill had been appointed to "assess" her upcoming examination and that since both Ms. Russell-Brown and Mr. Akande were currently in the United States, the examination would take place in New Jersey, after January 10, 2009. I also attach a December 2, 2008 e-mail between the Oxford and Gainesville Defendants, in which the Gainesville Defendants refer to Ms. Russell-Brown's upcoming examination and instruct that "an indication of general incompetence as a scholar would detract from [Ms. Russell-Brown's] allegations of discrimination" against them. And, the Oxford Defendants respond, one month before Ms. Russell-Brown's examination was even scheduled to take place, that Dapo Akande and Guy Goodwin-Gill would report to the Faculty that they were unable to recommend transfer to the DPhil stage, i.e. that Ms. Russell-Brown had failed her examination!

Thank you for your consideration.

Respectfully yours,  
  
 Lennox S. Hinds

LSH/sbt

Attachments

cc: SATTERLEE STEPHENS BURKE & BURKE LLP, c/o Zoe Eva Jasper, Esq. (zjasper@ssbb.com),  
 Attorneys for the Oxford Defendants, with attachments (via CM/ECF and e-mail)



[Print] [Close]

From: "Steven Willis" <willis@law.ufl.edu>  
To: [REDACTED]@att.net>  
Subject: Fwd: lawsuit filed by a former faculty member  
Date: Monday, February 9, 2009 4:55:53 PM

Sherrie,

I assume several people will send you this.

I deeply regret the treatment you received. I've read your complaint and I find it has merit.

Attached is a copy of a letter I sent Bob in December. I have not seen a reply. I suspect it will be something horrible, so I have not sought one out.

As you probably know, Jeff Harrison has an pending grievance against Bob. Joe Little and Doug Miller and Winston Nagan have similarly expressed deep dis-trust of the man, as well as serious objections. Each, however, is either in or near retirement and does not want to make waves, which is understandable.

I am very weary of him and very very tired of his nonsense. I find his attached email deeply troubling. You were a fine colleague and a good, hard-working academic. Perhaps at the end, you were under great stress . . . but much - if not all - of that can be lain at the feet of the Dean.

I wish you well. If I could help, I would. While I know of no racially motivated bias, I know that Bob has a history of other bias. In particular, he has a reputation of sexism. As to me, it is a political bias. But no matter what the cause, he is not a fair minded person. I wish he would just leave.

Best wishes.

Steve

Steven J. Willis  
Professor of Law  
UF College of Law  
<http://www.ufcl.edu/willis/willis.htm>

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**Attached Message**

From: "Robert Jerry" <JerryR@law.ufl.edu> [ [Save Address](#) ]  
Subject: lawsuit filed by a former faculty member  
Date: Mon, 09 Feb 2009 16:38:15 -0500

I think all of you are now aware that Sherrie Russell-Brown filed a lawsuit in the Northern District of Florida on Friday. The complaint is available on the Internet, but if you would like an electronic copy of it, let Doris know.

At this time, I am at liberty to say that the allegations of racial discrimination in this case are unfounded. We will be responding vigorously and will provide a copy of the university's response when we do. I am prohibited from speaking further about this lawsuit at this time (as much as I would prefer to say more). There are important facts with bearing on this case that will come out when we submit our response.

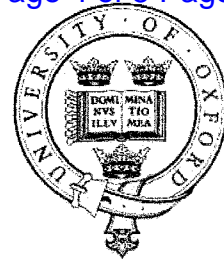
I anticipate an article in tomorrow's Gainesville Sun and possibly other media as well. I am concerned that baseless allegations in the complaint may be repeated in the media, but I am hopeful that media reports will cover progress we have made and the seriousness of our commitment to a supportive environment for all our faculty, staff, and students.

Bob

# University of Oxford

University Offices, Wellington Square, Oxford OX1 2JD

From Legal Services



**By email only**

**[REDACTED]**@att.net

Ref. LE/FMB/1706

27 November 2008

Dear Ms Russell-Brown,

## **Qualifying Test Assessment**

I write further to my letter of 21 November 2008 and your email of the same date.

As noted in my letter, the Faculty is of the view that it has taken reasonable steps to accommodate your wishes but must now proceed to complete the QT assessment. Accordingly, the Faculty has appointed Dapo Akande and Guy Goodwin-Gill as your assessors. Noting that you and Dapo Akande are both currently in the U.S., the Faculty will arrange a date for the assessment to take place in the US. It is expected that the date will be soon after 10 January. If you have any dates that must be avoided in the remainder of January, please inform the Faculty as soon as possible.

You will recall that you specifically requested that Mr Akande be appointed as one assessor. I remind you that whilst you expressed reservations about the appointment of Professor Goodwin-Gill, the University did not accept that your concerns were warranted (although it was willing to accommodate reasonable suggestions made by you if possible).

Yours sincerely,

A handwritten signature in black ink, appearing to be 'F M Barnwell'.

Mrs F M Barnwell  
Associate Director of Legal Services

**From:** [REDACTED] <[REDACTED]@law.ox.ac.uk>  
**To:** [REDACTED] <[REDACTED]@law.ufl.edu>  
**Date:** 12/2/2008 8:00 AM  
**Subject:** Re: Sherrie Russell Brown

She has similarly brought complaints against Oxford and in particular concerning race. Guy and I plan to report to the Faculty that we are unable to recommend transfer to the DPhil stage.

>>> [REDACTED] 12/1/2008 12:51:01 PM >>>

Dear [REDACTED]

I was surprised to hear that Ms. Russell Brown has not been assessed yet. I mention this because, as I impressed upon Vaughan and Frank, an indication of general incompetence as a scholar would detract from her allegations of discrimination.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
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P.O. Box 117625  
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